



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,767	01/23/2002	Gary S. Jacob	3229/1/PCT	8501

7590

08/18/2003

Roger A Williams
G D Searle & Company
Corporate Patent Law Department
PO Box 5110
Chicago, IL 60680-5110

EXAMINER

FLOOD, MICHELE C

ART UNIT

PAPER NUMBER

1654

DATE MAILED: 08/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/031,767		Jacob et al.	3229/1/ PCT

FOR A TEST EXAMPLE LOOK AT 09/214,353.PTO

EXAMINER	
Michele C. Flood	
ART UNIT	PAPER NUMBER
1654	

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The reply filed on June 24, 2003 is not fully responsive to the prior Office action because of the following omissions or matters: Claims 1-9, as instantly amended, do not reasonably read on the elected invention - *i.e.*, a method of treating a patient affected with a glycolipid storage disease comprising administering to said patient both a N-alkyl derivative of deoxynojirimycin having from about two to about twenty carbon atoms in the alkyl chain and a glucocerebrosidase enzyme in an amount effective for alleviating or inhibiting said glycolipid storage disease. The instantly claimed invention appears to read on a "use" of a combination of a N-alkyl derivative of deoxynojirimycin having from two to about twenty carbon atoms in the alkyl chain and a glucocerebrosidase enzyme for the preparation of a medicament for alleviating or inhibiting a glycolipid storage disease. Thus, the originally elected invention was to a method of treatment vs. the instantly claimed method of making a product. Moreover, the Office notes that the instant claims are drawn to non-statutory subject matter, since the claims provide for the "use" of the aforementioned drug combination for the preparation of a medicament without setting forth any steps involved in the method/process. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, Applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michele Flood whose telephone number is (703) 308-9432. The examiner can normally be reached on Monday through Friday from 7:15 am to 3:45 pm. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1600 receptionist whose telephone number is (703) 308-0196 or the Supervisory Patent Examiner, Brenda Brumback whose telephone number is (703) 306-3220.

Michele C. Flood
MICHELE FLOOD
PATENT EXAMINER

MCF

August 15, 2003